

Practitioner's Docket No. FORE-71

PAF/2661

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fan Zhou, Joseph A. Hook and Jeff Schulz

Application No.: 09/628,059

Group No.: 2661

Filed: July 28, 2000

Examiner: Joshua A. Kading

For: DYNAMIC QUEUE UTILIZATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed April 28, 2004, finally rejecting claims 1-3.

1. STATUS OF APPLICANT

RECEIVED

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07/19/2004 HGUTEMA1 00000044 09628059

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
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Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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Tracey L. Milka
Signature

Date: 7/15/04

Tracey L. Milka
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* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity \$330.00

Notice of Appeal fee due \$330.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$330.00

TOTAL FEE DUE \$330.00

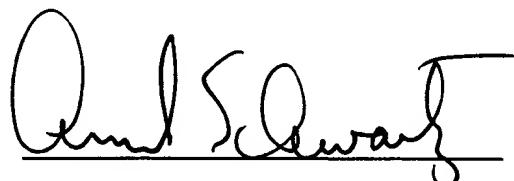
5. FEE PAYMENT

Attached is a check in the amount of \$330.00.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-0737.



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